

## **FACTSHEET**

**TITLE:** **ANNEXATION NO. 02005**, requested by the Director of Planning, to annex approximately 35.3 acres, more or less, generally located at U.S. Highway 77, S.W. 12<sup>th</sup> Street and West South Street.

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan

**ASSOCIATED REQUESTS:** Comprehensive Plan Conformance No. 02006 - Ordinance for Authority to Purchase (02-134); and Comprehensive Plan Conformance No. 02007 - Ordinance to Declare Surplus Property (02-135).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 8/21/02  
Administrative Action: 8/21/02

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (8-0: Carlson, Duvall, Krieser, Larson, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Newman absent).

### **FINDINGS OF FACT:**

1. This annexation and the associated request for authority to purchase and request for declaration of surplus property were heard at the same time before the Planning Commission.
2. The Planning staff recommendation to find the proposed annexation to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.4-5, concluding that it meets the annexation policies of the Comprehensive Plan: a) the area to be annexed is within the future service limits; b) the area to be annexed is contiguous to the city; and c) the area to be annexed is generally urban in character.
3. On August 21, 2002, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. The Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposed annexation to be in conformance with the Comprehensive Plan.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** September 3, 2002

**REVIEWED BY:** \_\_\_\_\_

**DATE:** September 3, 2002

**REFERENCE NUMBER:** FS\CC\2002\ANNEX.02005

## **LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**P.A.S.#:** Annexation #02005

**DATE:** August 6, 2002

**PROPOSAL:** Application by the Director of Planning to annex, property generally bounded by South St. on the north, US Highway 77 on the east/northeast, S.W. 12<sup>th</sup> St. on the west and Burlington Northern railroad tracks on the south/southeast

**LAND AREA:** Approximately 35.3 acres more or less.

**CONCLUSION:** This annexation proposal is in conformance with the Comprehensive Plan for the following reasons:

- It meets the annexation policies of the Plan;
- The area to be annexed is within the future service limit;
- The area to be annexed is contiguous to the city;
- The area to be annexed is generally urban in character.

<b><u>RECOMMENDATION:</u></b>	Find that this request is in conformance with the Comprehensive Plan.
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** The remaining portion of Lot 207 I.T., except that portion previously annexed, in Section 34, Township 10 North, Range 6 East, Lancaster County, Nebraska.

**LOCATION:** US Highway 77, S.W. 12<sup>th</sup> St. and W. South St.

**APPLICANT:** Michael V. DeKalb, Interim Planning Director  
Lincoln/Lancaster County Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508  
(402) 441-7491

**CONTACT:** Tom Cajka  
Lincoln/Lancaster County Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508  
(402) 441-6362

**EXISTING ZONING:** R-3 Residential

**EXISTING LAND USE:** Agriculture, cemetery and street right-of-way.

## **SURROUNDING LAND USE AND ZONING:**

North/Northeast:	R-3 Residential	Mobile Home court and multi-family
South/Southeast	P Public & I-1 Industrial	Vacant and railroad track
East:	P Public	Vacant
West:	R-3 Residential	Single family residential

**ASSOCIATED APPLICATIONS:** CPC#02006 and CPC #02007 - Authority to Purchase and Declaration of Surplus Property for a tract of land located within Lot 207 I.T.

Administrative Final Plat #02032, Old Mill Village to plat 15 lots abutting the east side of S.W. 12<sup>th</sup> St.

**HISTORY:** Vestecka's Villa Van Dorn Addition final plat abutting to the southwest was approved **July 20, 1998**.

A strip of land approximately 150' x 1,280' abutting the east side of S.W. 12<sup>th</sup> Street was annexed **July 20, 1978** by Ordinance #12332.

Village Manor Estates final plat abutting to the west was approved **August 9, 1976**.

Coddington West final plat abutting to the northwest was approved **May 7, 1973**.

The subject property was changed from A-2 Single Family Dwelling District to R-3 Residential District in the 1979 Zoning update.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Land Use Plan designates this area as Urban Residential.

## **SPECIFIC INFORMATION:**

### **UTILITIES AND SERVICES:**

**Sanitary Sewer** - There is no sanitary sewer in S.W. 12<sup>th</sup> St. There is an existing 12 inch sanitary sewer main parallel to the railroad tracks. An 8 inch main would be required to serve the area proposed to be annexed. This sewer would be included in the approval of subdivisions.

**Water** - The existing water main in S.W. 12<sup>th</sup> St. is adequate to serve the area proposed to be annexed.

**Roads and Sidewalks** - Street paving exists in S.W. 12<sup>th</sup> St. There are no sidewalks on the east side of S.W. 12<sup>th</sup> Street or along W. South Street. Sidewalks would be included in the approval of subdivisions.

**Parks and Trails** -The nearest neighborhood parks are S. Coddington & A Park located at Coddington Avenue and south of West “A” St; and Willard Park located at West “B” St. and Folsom St.

A Community Park at the southeast corner of Van Dorn St. and S. Coddington Ave. is identified as a future park in the 2025 Comprehensive Plan.

Bison Trail is located between W. Van Dorn St. and W. Prospector Place.

**Fire Protection** -Fire Station #13, located at S. Coddington Ave and West “A” St. is the nearest fire station.

**Schools** -Roper Elementary School located at Coddington Ave. and West South St. would serve this area.

### **ANALYSIS:**

1. The property proposed to be annexed is currently owned by the State of Nebraska.
2. The City of Lincoln’s Urban Development Department is in part using Community Development Block Grant funds to assist Nebraska Housing Resources, Inc. in the purchase of this property.
3. In order for the Urban Development Department to use Community Development Block Grant funds to assist Nebraska Housing Resources, Inc. the property must be within the city limits of Lincoln.
4. Nebraska Housing Resources Inc. is proposing a subdivision on this property to provide affordable housing.
5. An Administrative Final Plat has been submitted by Nebraska Housing Resources, Inc. to plat 15 lots adjacent to S.W. 12<sup>th</sup> Street.
6. This proposal is in conformance with the annexation policies on page 169 and 170 of the Comprehensive Plan:
  - Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
  - Annexation generally implies the opportunity to access all City services (i.e., police, fire). Voluntary annexation agreements may limit or outline the phasing, timing or development of utility services (i.e., water, sewer) and may include specific or general plans for the financing of improvements to the infrastructure and the land uses of the area.

- Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program (CIP) of the city and the county.
7. The area to be annexed is within the City's Future Service Limit, as shown on Lincoln's Land Use Plan of the Comprehensive Plan (page 27).
  8. These properties meet the Comprehensive Plan's policy for annexation since they are:
    - a) generally developed;
    - b) urban in character;
    - c) contiguous to the city limits;
    - d) generally has city utilities available or planned for.

Prepared by:

Tom Cajka  
Planner

# **ANNEXATION NO. 02005**

## **CONSENT AGENDA**

### **PUBLIC HEARING & ADMINISTRATIVE ACTION**

#### **BEFORE PLANNING COMMISSION:**

August 21, 2002

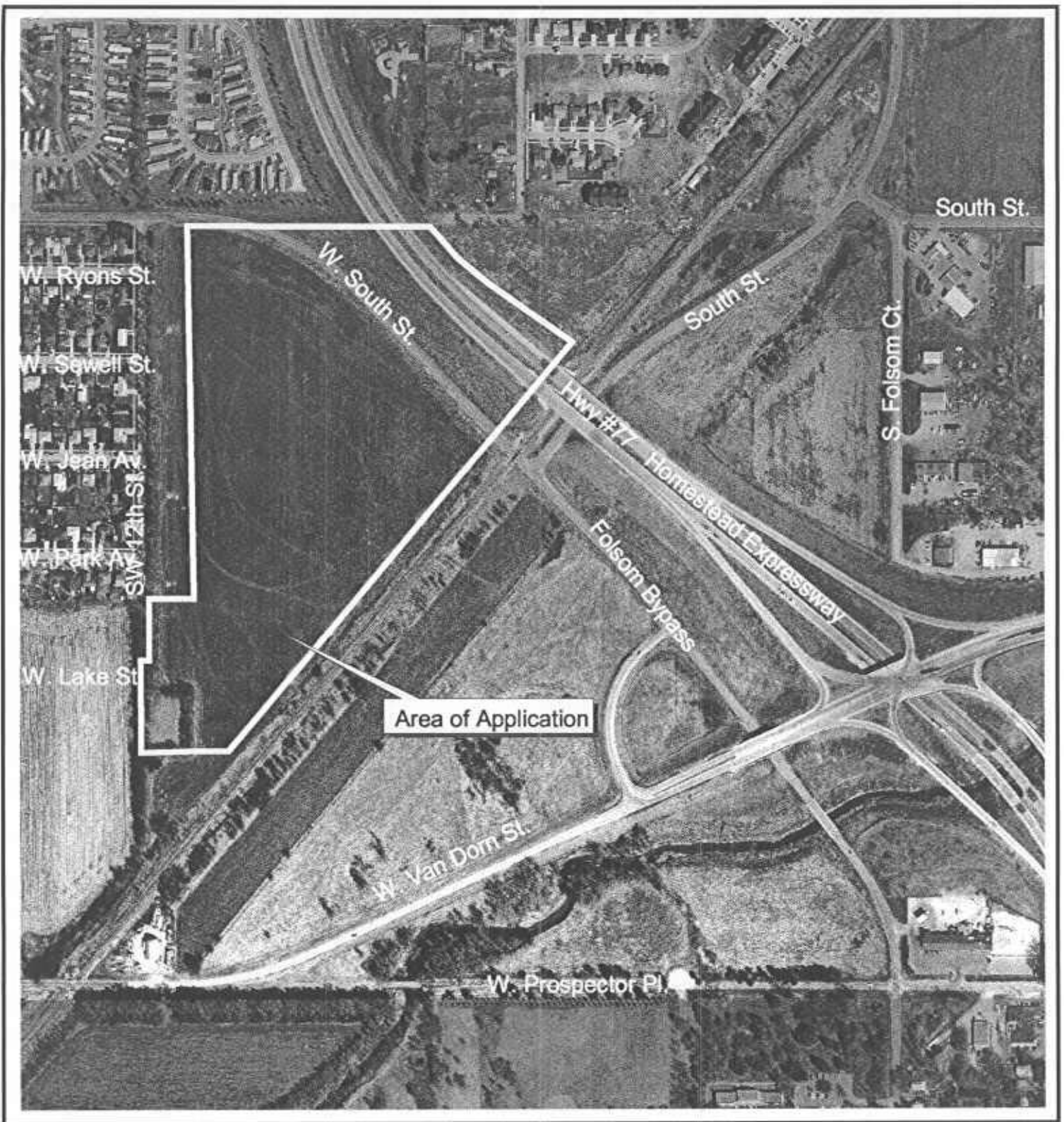
Members present: Carlson, Duvall, Krieser, Larson, Schwinn, Steward, Bills-Strand and Taylor; Newman absent.

The Consent Agenda consisted of the following items: **COUNTY CHANGE OF ZONE NO. 208; SPECIAL PERMIT NO. 1983; FINAL PLAT NO. 02016, TABITHA NEW COMMUNITY 4<sup>TH</sup> ADDITION; FINAL PLAT NO. 02022, ASHLEY HEIGHTS 1<sup>ST</sup> ADDITION; ANNEXATION NO. 02005; COMPREHENSIVE PLAN CONFORMANCE NO. 02006; COMPREHENSIVE PLAN CONFORMANCE NO. 02007; COMPREHENSIVE PLAN CONFORMANCE NO. 02005; WAIVER OF DESIGN STANDARDS NO. 02015 and MISCELLANEOUS NO. 02004.**

**Item No. 1.6, Comprehensive Plan Conformance No. 02005**, was removed from the Consent Agenda and scheduled for separate public hearing at the request of Commissioner Steward.

Steward moved to approve the remaining Consent Agenda, seconded by Krieser and carried 8-0: Carlson, Duvall, Krieser, Larson, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Newman absent.

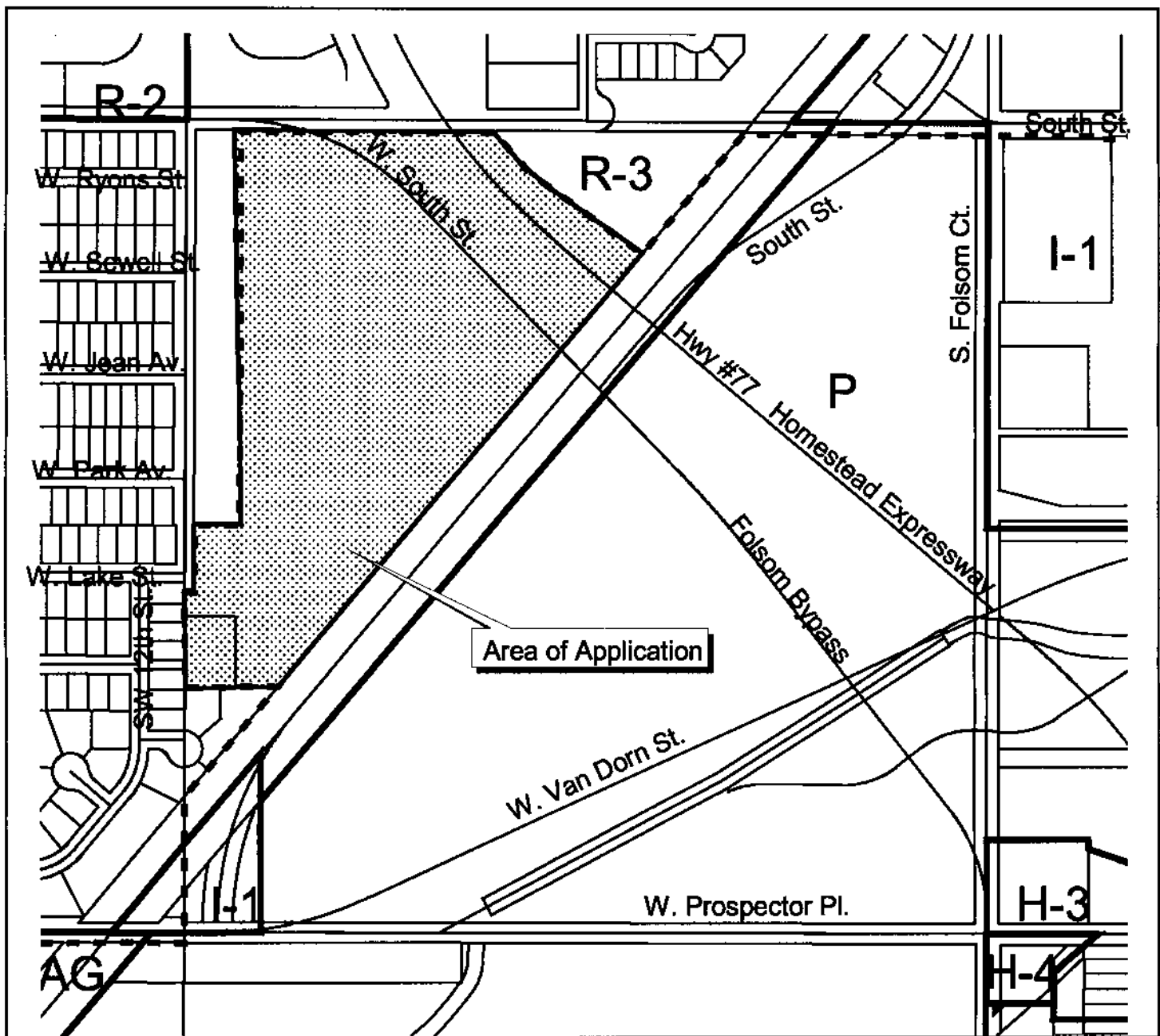
Note: This is final action on Special Permit No. 1983; Tabitha New Community 4<sup>th</sup> Addition Final Plat No. 02016; Ashley Heights 1<sup>st</sup> Addition Final Plat No. 02022; Comprehensive Plan Conformance No. 02005; and Miscellaneous No. 02004, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the action by the Planning Commission.



**Annexation #02005**  
**SW 12th , South St & Hwy 77**  
**Old Mill Village**



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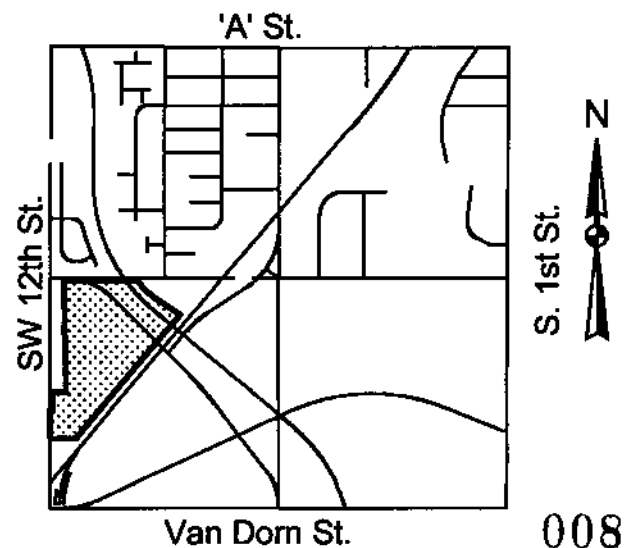
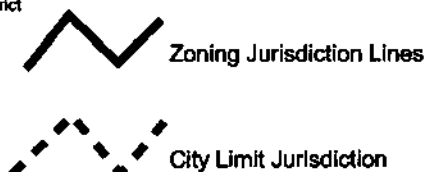


**Annexation #02005**  
**SW 12th , South St & Hwy 77**  
**Old Mill Village**

**Zoning:**

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 34 T10N R6E



008



I N T E R

O F F I C E

# MEMO

**To:** Director of Planning Department  
*SW* **From:** Steve Werthmann, Housing Rehab & Real Estate Manager  
**Subject:** Request for Annexation  
**Date:** July 24, 2002

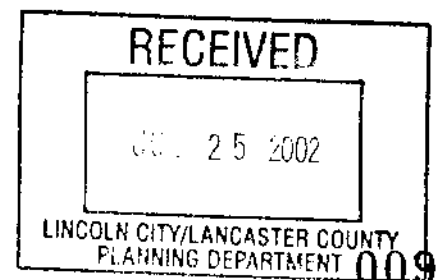
Please place on the next Planning Commission agenda a request for annexation of I. T. Lot 207 located in the SW Quarter of Section 34-10-6 as noted on the attached map. Please note this request excludes the area within Lot 207 which has already been annexed.

The City of Lincoln's Urban Development Department is in part using CDBG funds to assist Nebraska Housing Resources, Inc., in the purchase of this property (once acquired from the State of Nebraska). Lincoln is an entitlement city for Federal funds and can only use the funds for housing within their jurisdiction which is within the city limits.

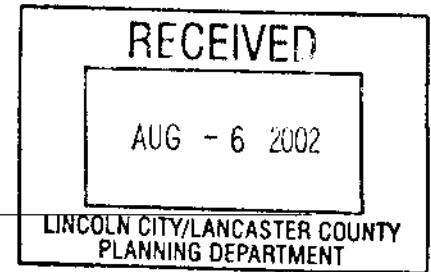
The annexation meets the policy stated in the 2025 Comprehensive Plan on page F 169 which states, *land which is contiguous to the City and generally urban in character may be annexed.*

Please contact me at 441-8621 if you have any questions.

Attachments



# M e m o r a n d u m



**To:** Tom Cajka, Planning

**From:** Dennis Bartels, Public Works and Utilities

**Subject:** Old Mill Village - Annexation, Surplus Property Declaration, Administrative Final Plat #02032, Misc #02006 and CPC #02006

**Date:** August 6, 2002

**cc:** Randy Hoskins  
Nicole Fleck-Tooze  
Steve Werthmann

Engineering Services has reviewed Old Mill Village located south of South Street west of Southwest 12th Street and has the following comments:

1. Water - The existing water main in Southwest 12th Street is adequate to serve this plat.
2. Sanitary Sewer - A sanitary sewer needs to be built in Southwest 12th Street to serve lots in this plat.

If the remainder of the property is annexed, it may be necessary for the sanitary sewer to be built across it to serve Vestecka Villa Van Dorn. This is my interpretation of the annexation agreement entered into between John Vestecka and the City of Lincoln and should be verified by the City Attorney's Office.

The sanitary sewer by design standards should be built on the west side of Southwest 12th Street. There are existing developed lots along the west side of Southwest 12th Street. EDC has requested that we consider building the sewer along the east right-of-way line of Southwest 12th and plat an easement east of the property line. This easement is not shown. It is noted however that there are mature trees along the east side of Southwest 12th Street. the sewer construction may destroy these trees. Engineering Services requests more information about these trees and a recommendation from Planning whether or not they should be removed.

The estimated cost of constructing the required sanitary sewer to serve this plat is \$59,300.00.

An easement for the existing sewer through Outlot A must be shown on the plat.

3. Street and Sidewalks - Street paving exists in Southwest 12th Street.

Sidewalk is required along Southwest 12th Street and along South Folsom. The estimated cost of sidewalks along the platted lots of Southwest 12th is \$13,000.00. The estimated cost of sidewalks along South Folsom and the remaining portions of Outlot A is \$24,300.00.

4. Drainage - No new drainage facilities are required with this plat.
5. The annexation of this property and the surplus property designation are satisfactory to Public Works.
6. This review does not include comments about the concept plans for the future lots.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-DEPARTMENT COMMUNICATION**

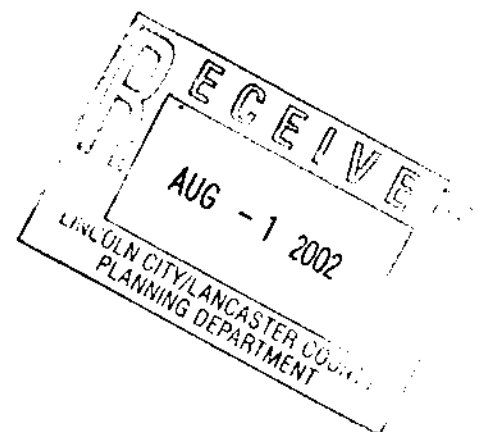
<b>TO:</b>	Tom Cajka	<b>DATE:</b>	July 31 , 2002
<b>DEPARTMENT:</b>	Planning	<b>FROM:</b>	Jerrold C. Hood, REHS
<b>ATTENTION:</b>		<b>DEPARTMENT:</b>	Health
<b>CARBONS TO:</b>	Administration Scott E. Holmes File	<b>SUBJECT:</b>	Old Mill Village Annexation #02005

The Lincoln-Lancaster County Health Department has no objection to this proposed annexation.

If there are any questions please contact me at 441-8029.

C:\My Documents\planning.documents.wpd/10

*Jerrold C. Hood*





**MICHAEL WOOLMAN**  
<lpd737@CJIS.CI.LIN  
COLN.NE.US>

To: Tom Cajka <TCajka@ci.lincoln.ne.us>  
cc:  
Subject: Old Mill Village

07/31/2002 02:43 PM

Mr. Cajka,

The Lincoln Police Department has no objections to the Old Mill Village CPC 02066, MISC 2006 and ANNEX 02005.

Michael S. Woolman  
Planning Sergeant  
Lincoln Police Department



**John Huff**

07/31/2002 10:25  
AM

To: Thomas J Cajka/Notes@Notes  
cc: John Huff/Notes@Notes  
Subject: Old Mill village

Tom,

I have reviewed the proposed annexation 02005, CPC 02006, and misc 02006 (all related to the old mill project) for the department, and do not have any objections as it is proposed.

If you have any questions, feel free to contact me.

John C. Huff  
Deputy Chief Administrative Services  
Lincoln Fire & Rescue  
1801 Q Street  
Lincoln Ne. 68528  
Office 402-441-8351  
Fax 402-441-8292

# Memo



**To:** Tom Cajka, Planning Department

**From:** Mark Canney, Parks & Recreation

**Date:** July 29, 2002

**Re:** Old Mill Village Annex #02005, CPC 02006, MISC. 02006

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have no comments.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.